§ 214.1 Requirements for admission, extension, and maintenance of status.

* * * * *

(c) *Employment.* A nonimmigrant in the United States in a class defined in section 101(a)(15)(B) of the Act as a temporary visitor for pleasure, or section 101(a)(15)(C) of the Act as an alien in transit through this country, may not engage in any employment. Any other nonimmigrant in the United States may not engage in any employment unless he has been accorded a nonimmigrant classification which authorizes employment or he has been granted permission to engage in employment in accordance with the provisions of this chapter. A nonimmigrant who is permitted to engage in employment may engage in such employment as has been authorized. Any unauthorized employment by a nonimmigrant constitutes a failure to maintain status within the meaning of section 241(a)(9) of the Act.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Dated: January 29, 1971.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[FR Doc.71-1608 Filed 2-4-71;8:48 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 71-SW-4]

BELL MODEL 206A HELICOPTERS

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding a new airworthiness directive applicable to Bell Model 206A helicopters. There has been one report of a crack possibly caused by corrosion and two reports of corrosion in the main rotor blade spar lower surface adjacent to the inboard screws which secure the tip inertia weight to the blade. Failure of the blade and resulting loss of tip inertia weight would result in loss of control of the Model 206A helicopter. Since this condition is likely to exist or develop in other helicopters of the same type design, the proposed airworthiness directive would impose a periodic inspection for cracks or corrosion in the spar lower surface from blade station 170 to 180 for certain main rotor blades, P/N 206-010-200-29 on Bell Model 206A helicopters.

It is anticipated that repair procedures for the blade corrosion will be developed by Bell and incorporated in the final amendment prior to adoption of the rule.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received on or before March 6, 1971 will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX 76101.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BELL. Applies to Model 206A helicopters certificated in all categories, equipped with main rotor blades, P/N 206-010-200-29, having blade serial numbers, TKK-0001 through TKK-0867 and TKK-1012 through TKK-1030 or having blade serial numbers with the prefix TJK.

Compliance required as indicated. To detect possible corrosion and fatigue cracks in the main rotor blade spar lower surface adjacent to the tip inertia weight attachment screws, accomplish the following:

a. Inspect those main rotor blades having 600 or more hours time in service on the effective date of this AD within 25 hours time in service therefrom, unless already accomplished in accordance with procedures listed below.

b. Inspect those main rotor blades having less than 600 hours time in service before reaching 625 hours time in service in accordance with the procedures listed below.

c. Accomplish repetitive inspections of the main rotor blades in accordance with the procedures listed below at intervals of not more than 25 hours time in service from the last inspection.

d. Visually inspect the lower surface of the spar from blade station 170 to 180 in the area of the screw heads for paint blisters, raised areas, paint cracks and for exposed metal. (Blade station 0 is the center of the main rotor yoke.)

e. If any of the conditions in subparagraph d are found, remove the finish in accordance with the instructions of Item 5 of Bell Helicopter Company Service Bulletin No. 206A-19 dated December 18, 1970, or later revision, and inspect for corrosion and cracks in the spar adjacent to the screw heads using a dye penetrant or equivalent inspection method.

f. If no corrosion or cracks are found, treat and refinish the unpainted area in accordance with the instructions of Item 4.c. of Bell Helicopter Company Service Bulletin No. 206A-19 dated December 18, 1970 or later revision.

g. If corrosion or cracks are found, remove and replace the blade before further flight.

h. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Co., Post Office Box 482, Fort Worth, TX 76101.

i. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, TX, and at FAA Headquarters, 800 Independence Avenue SW., Washington, DC. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Tex.

Issued in Fort Worth, Tex., on January 26, 1971.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.71-1610 Filed 2-4-71;8:48 am]

CIVIL AERONAUTICS BOARD

[14 CFR Ch. II]

[Docket No. 23055; SPDR-22]

NONAFFINITY CHARTERS

Advance Notice of Proposed Rule Making

JANUARY 29, 1971.

Notice is hereby given that the Civil Aeronautics Board is considering issuing a notice of proposed rule making to establish by special regulation a new category of charter tentatively denominated as "Non-Affinity Charter." The new class of charter is described and discussed in the Explanatory Statement below. This notice is issued pursuant to the authority of sections 204(a) and 1001 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 788; 49 U.S.C. 1324, 1481.

Interested persons may participate in the rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material in communications received on or before May 1, 1971, will be considered before taking action on the proposal. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, DC upon receipt thereof.

[SEAL] HARRY J. ZINK,
Secretary.

EXPLANATORY STATEMENT

On July 30, 1970, the Member Carriers of the National Air Carrier Association (NACA) filed in Docket 22409, a petition for rule making which, inter alia, essentially calls for elimination of the affinity requirements for pro rata charters in Parts 208 and 295 of the Board's economic regulations. On October 28, 1970, the Board heard oral argument on the proposal, as well as proposals for revision and extension of the charter regulations set forth in EDR-183/PSDR-24, dated May 8, 1970.

By ER-659 and related regulations issued concurrently, the Board is adopting

certain of the EDR–183 proposals for effectiveness for the forthcoming 1971 summer season, and is deferring action on the remaining proposals. This advance notice concerns the NACA carriers' proposal referred to above.

In their petition, the NACA carriers assert that the affinity concept embodied in Parts 208 and 295 is inherently discriminatory, unduly restrictive, and almost impossible to define or enforce; that it has deprived thousands of potential travelers of the benefits of low cost charter transportation; and that it is not believed essential to the preservation of the charter concept and the distinction between group and individual travel. The NACA carriers therefore propose that Parts 208 and 295 be revised to permit any group of 40 or more individuals to charter an aircraft or a portion thereof, subject to the following restrictions: (1) The group must have been formed at least 6 months prior to departure, and (2) the group may not be brought together by means of mass media advertising. In addition, the proposal would permit any organization to charter, so long as (1) the participants on the organizations' charter flights have been members for at least 6 months prior to departure, and (2) the organization does not in any mass media solicitation of membership hold out specific charter transportation as an inducement. The NACA carriers believe that these rules are sufficient to provide sharp distinction between charter and individually ticketed transportation, and that there is no danger that the liberalized charter regulations proposed would impair scheduled services or divert large numbers of passengers from individually ticketed services.

In their answer to the petition, as augmented at oral argument, the trunkline carriers[1] contend that the affinity concept may not, and should not, be abandoned; that its abolition would be catastrophic for the scheduled carriers; and that the restrictions proposed would not mitigate the catastrophe.

The Board is of the opinion that consideration should be given to the establishment of a class of nonaffinity charter, in addition to inclusive tour charters under Part 378. The infirmities of the affinity charter concept are well known. The concept raises questions of discrimination against persons who are not members of affinity groups, and against persons who are members of small affinity groups unable to mount as extensive and attractive charter programs as large groups. In addition the concept has posed difficult enforcement problems. It is possible that these enforcement problems could be brought under control by clearer and more restrictive charter regulations aimed at greater adherence to the affinity concept. However, comment received in EDR–183 tends to show that adoption of such regulations, while reducing enforcement problems, may also serve to increase discrimination and inhibit the opportunities of many members of the traveling public to avail themselves of low cost charter transportation.

It also appears that the affinity concept is in essence but a means to maintain the distinction between charter and individually ticketed services. This concept is not itself a statutory requirement. It may be that this objective can be realized through other more appropriate means without departing from statutory requirements.

This brings us to the NACA carriers' proposal. While we tentatively favor the objectives of this proposal, it provides no means to identify the charter participants as a group and is otherwise too lacking in specificity to justify the institution of public rule making proceedings. Furthermore, the proposal would apply only to supplemental air carriers. In this respect, it is inconsistent with our objective of securing uniform charter regulations applicable to all types of carriers. In addition, the proposal would eliminate affinity charters entirely. Although any long-term solution of the pro rata charter problem may well involve elimination of the affinity concept entirely, we believe it preferable at this juncture not to eliminate affinity charters even though the Board adopts the nonaffinity charter concept in some form. For these reasons the NACA carriers' proposal in the form submitted will not be submitted for public comment in rule making proceedings, and the petition is denied to this extent.

However, we are considering issuing a Notice of Proposed Rule Making to establish by Special Regulation a new class of charter tentatively denominated as "Non-Affinity Charter" which would be applicable to all direct air carriers and foreign air carriers, as an alternative to affinity charters under Parts 207, 208, 212, and 214 of the economic regulations and to inclusive tour charters under Part 378. And we are tentatively of the view that this new type of charter, if authorized, should be available to any group of 50 or more provided that the following conditions are met:

(1) Six months prior to scheduled departure the carrier must file with the Board a charter contract setting forth the date(s) of the flight(s), the price, origin, and destination, and the names, addresses, and telephone numbers of the charter participants. The carrier may also file a standby list which is no larger than three times the size of the main list, and must file a statement that it has received a deposit of 25 percent of the total charter price from the main list participants. In the event a main list participant cancels, this deposit will ordinarily be refundable only if a replacement participant is obtained.

(2) The charter participants must be on the main list or from the standby list. At least 80 percent must be from the main list, with the remainder filling in from the standby list. No one may participate who is not either on the main or standby list.

(3) Within 7 days after flight departure, the carrier must file with the Board a manifest containing the names, addresses, and telephone numbers of the charter participants.

(4) Intermingling of charter participants would be subject to the same rules as provided in ER–659.[2]

(5) Solicitation materials shall separately state the cost of ground arrangements, if any, the cost of air transportation, the service charges, and the total cost of the entire trip.[3]

(6) There will be no fixed limit on service charges, but they must be broken out separately and prorated equally among the participants.

(7) There will be no commissions.

(8) There will be no mass media advertising.

(9) Split charters would be permitted, and nonaffinity charters could be combined with other types of passenger charters.[4]

The above proposal is designed to preserve the distinction between charter and individually ticketed services, and would preclude any substantial impairment of scheduled services. The distinction would be preserved by the 6-month requirement, together with the participant list and payment requirement.

The rule against commissions is predicated on the view that intermediaries who will form the groups and make the arrangements for nonaffinity charter flights are essentially agents for the group and not the carrier and should receive compensation from the group as service charges, and not in the form of commissions from the carriers. Comments are particularly invited as to the limitations and safeguards which should be imposed on the intermediaries and the extent, if any, as to which they should be allowed to serve as indirect air carriers.

Ordinarily, of course, the Board in rule making proceedings issues a notice containing proposed rules in regulatory format and issues final rules after receiving comments. In this case, we are issuing an advance notice containing rules in outline form which we are considering proposing in a notice of rule making. We have chosen this additional preliminary step in view of the fact that these rules would involve a marked departure from the concept which has governed pro rata charters from their inception. Under these circumstances we desire to have the benefit of the views of interested persons before formulating precise rules.

[FR Doc.71–1561 Filed 2–4–71;8:45 am]

[1] American, Braniff, Continental, Delta, Eastern, National, Northwest, Pan American, Trans Caribbean, TWA, United, and Western.

[2] I.e, in the case of a charter contract calling for four or more round trips, one-way passengers shall not be carried, there shall be no intermingling of passengers and each planeload group, or less than planeload group, shall move together as a unit in both directions, except under emergency circumstances. (See §§ 208.32(f) and 208.36.)

[3] Cf. ER–659, § 208.214.

[4] See ER–659, p. 17 et. seq.

ENVIRONMENTAL PROTECTION AGENCY

[18 CFR Part 615]

STATE CERTIFICATION OF ACTIVITIES REQUIRING FEDERAL LICENSE OR PERMIT

Notice of Proposed Rule Making

Notice is hereby given that the Administrator, Environmental Protection Agency, pursuant to the authority in section 103, 84 Stat. 91, proposes the addition of a new Part 615 to Title 18, Chapter V of the Code of Federal Regulations, as set forth below.

The Federal Water Pollution Control Act vests certain authorities in the Secretary of the Interior. On December 2, 1970, those authorities were transferred to the Administrator, Environmental Protection Agency, by Reorganization Plan No. 3 of 1970.

Section 21(b) of the Federal Water Pollution Control Act, 33 U.S.C.A. 1171 (b), requires any applicant for a Federal license or permit to conduct any activity, including, but not limited to, the construction or operation of facilities which may result in any discharge into the navigable waters of the United States to obtain a certification from the State in which the discharge originates, or, if appropriate, from the interstate agency having jurisdiction or, under certain circumstances, from the Administrator, that there is reasonable assurance that such activity will be conducted in a manner which will not violate applicable water quality standards. In any case where actual construction of a facility from which a discharge is made has been lawfully commenced before April 3, 1970, no certification is required for the issuance of a license or permit after April 3, 1[illegible] except that any such license or permit shall terminate on April 3, 1973, unless a certification is submitted to the licensing or permitting agency prior to April 3, 1973. Where any license or permit application was pending on April 3, 1970, and such license or permit is issued before April 3, 1971, no certification is required for 1 year following the issuance of such license or permit, except that any such license or permit shall terminate at the end of 1 year unless a certification is submitted to the licensing or permitting agency prior to that time:

The proposed Subpart A would provide definitions of general applicability for the regulations and would provide for the uniform content and form of certification.

The proposed Subpart B would establish procedures for determination by the Administrator whether a discharge which will result from an activity for which certification is required by section 21(b) may affect the quality of the waters of any State other than the State in which the discharge originates.

The proposed Subpart C would establish procedures for obtaining certifications from the Administrator in certain cases where standards have been promulgated by the Administrator, and in cases where no State or interstate agency has authority to certify that there is reasonable assurance that an activity requiring a Federal license or permit and which may result in a discharge into navigable waters will be conducted in a manner which will not violate applicable water quality standards.

The proposed Subpart D would provide for consultation between the Administrator and Federal licensing and permitting agencies with respect to the meaning, content, and application of water quality standards and related matters.

A form suitable for use by certifying agencies is being prepared and will be published in the FEDERAL REGISTER in the immediate future.

Interested persons may submit, in triplicate, written data or arguments in regard to the proposed regulations to the Administrator, Environmental Protection Agency, Washington, D.C. 20460. All relevant material received not later than 30 days after publication of this notice will be considered.

(Secs. 21 (b), (c), Federal Water Pollution Control Act. (Public Law 91-224); sec. 103, 84 Stat. 91, 33 U.S.C.A. 1171(b) (1970); Reorganization Plan No. 3 of 1970)

Subpart A—General

§ 615.1 Definitions.

As used in this part, the following terms shall have the meanings indicated below:

(a) "License or permit" means any license or permit, including leases for livestock grazing or oil, mineral, or other exploitation, granted by an agency of the Federal government to conduct any activity which may result in any discharge into the navigable waters of the United States.

(b) "Licensing or permitting agency" means any agency of the Federal Government to which application is made for a license or permit.

(c) "Administrator" means the Administrator, Environmental Protection Agency.

(d) "Certifying agency" means the person or agency designated by the Governor of a State to certify compliance with applicable water quality standards. If an interstate agency has sole authority to so certify, such interstate agency shall be the certifying agency. Where a Governor's designee and an interstate agency have concurrent authority to certify, the Governor's designee shall be the certifying agency. Where water quality standards have been promulgated by the Administrator pursuant to section 10(c)(2) of the Act, or where no State or interstate agency has authority to certify, the Administrator shall be the certifying agency.

(e) "Act" means the Federal Water Pollution Control Act, 33 U.S.C.A. 1151 et seq.

(f) "Discharge" means any direct or indirect addition of matter to receiving waters.

(g) "Water quality standards" means standards established pursuant to section 10(c) of the Act, and State-adopted water quality standards for navigable waters which are not interstate waters.

§ 615.2 Form of certification.

A certification made by a certifying agency shall include the following:

(a) The name and address of the applicant;

(b) A description of the facility or activity, and of any discharge into navigable waters which may result from the conduct of any activity including, but not limited to, the construction or operation of the facility, including the biological, chemical, thermal, and other characteristics of the discharge, and the location or locations at which such discharge may enter navigable waters;

(c) A description of the function and operation of equipment or facilities to treat wastes or other effluents which may be discharged, including specification of the degree of treatment expected to be attained;

(d) The date or dates on which the activity will begin and end, if known, and the date or dates on which the discharge will take place;

(e) A statement of the probable effects of the discharge on the quality of the receiving water;

(f) An identification of applicable water quality standards;

(g) A statement of the probable effects of the discharge on the quality of waters of a State other than the State in which the discharge occurs or will occur;

(h) A statement that there is reasonable assurance that the activity will be conducted in a manner which will not violate applicable water quality standards;

(i) A statement of the conditions applicable to the discharge, reliance upon which provided the basis for the statement described in paragraph (h) of this section; and

(j) Such other information as the certifying agency may determine is appropriate.

Subpart B—Determination of Effect on Other States

§ 615.11 Notification.

Upon receipt of an application for a license or permit and a certification, the licensing or permitting agency shall immediately notify the Administrator of such application and certification.

§ 615.12 Copies of documents.

Immediately after certification has been granted, an applicant shall provide the Administrator with three copies of (a) the application for a license or permit, (b) the application for certification, and (c) any certification received or notification that certification has been waived. The applicant may provide the Administrator with copies of the applications as soon as the applications are made to the relevant State, interstate, or Federal agencies.

§ 615.13 Review by Administrator and notification.

The Administrator shall review the applications and certification, provided

in accordance with § 615.12, and if the Administrator determines there is reason to believe that a discharge may affect the quality of the waters of any State or States other than the State in which the discharge occurs, the Administrator shall, no later than 30 days of the date of notice of application and certification from the licensing or permitting agency provided in § 615.11, so notify each affected State, the licensing or permitting agency, and the applicant.

§ 615.14 Forwarding to affected State.

The Administrator shall forward to each affected State a copy of the material provided in accordance with § 615.12.

§ 615.15 Hearing on objection of affected State.

When a licensing or permitting agency holds a public hearing on the objection of an affected State, such objection shall be forwarded to the Administrator by the licensing or permitting agency, and the Administrator shall at such hearing submit his evaluation with respect to such objection and his recommendations as to whether and under what conditions the license or permit should be issued.

§ 615.16 Waiver.

If the certification requirement with respect to an application for a license or permit is waived due to the failure or refusal of a State or interstate agency to act on a request for certification within a reasonable time as determined by the licensing or permitting agency (which period shall not exceed 1 year) after receipt of such request, the Administrator shall consider such waiver as a substitute for a certification and, as appropriate, shall conduct the review, provide the notices, and perform the other functions identified in §§ 615.13, 615.14, and 615.15. The notices required by § 615.13 shall be provided not later than 30 days after the date on which the waiver becomes effective.

Subpart C—Certification by the Administrator

§ 615.21 When Administrator certifies.

Certification by the Administrator that the discharge resulting from an activity requiring a license or permit will not violate applicable water quality standards will be required where:

(a) Standards have been promulgated by the Administrator pursuant to section 10(c)(2) of the Act; or

(b) Water quality standards have been established, but no State or interstate agency has authority to give such a certification.

§ 615.22 Applications.

An applicant for certification from the Administrator shall submit to the Administrator a complete description of the discharge involved in the activity for which certification is sought, with a request for certification signed by the applicant. Such description shall include the following:

(a) The name and address of the applicant;

(b) A description of the facility or activity, and of any discharge into navigable waters which may result from the conduct of any activity including, but not limited to, the construction or operation of the facility, including the biological, chemical, thermal, and other characteristics of the discharge, and the location or locations at which such discharge may enter navigable waters;

(c) A description of the function and operation of equipment or facilities to treat wastes or other effluents which may be discharged, including specification of the degree of treatment expected to be attained;

(d) The date or dates on which the activity will begin and end, if known, and the date or dates on which the discharge will take place;

(e) A statement of the probable effects of the discharge on the quality of the receiving water;

(f) An identification of applicable water quality standards, together with a statement as to whether, in the applicant's opinion, discharge resulting from the activity will or will not violate applicable water quality standards; and

(g) A statement of the probable effects of the discharge on the quality of waters of a State other than the State in which the discharge occurs or will occur.

§ 615.23 Notice and hearing.

The Administrator will provide public notice of each request for certification by publication in the FEDERAL REGISTER, and may provide such notice in a newspaper of general circulation in the area in which the activity is proposed to be conducted and by such other means as the Administrator deems appropriate. Interested parties shall be provided an opportunity to comment on such request as the Administrator deems appropriate. All interested and affected parties will be given reasonable opportunity to present evidence and testimony at a public hearing on the question whether to grant or deny certification if the Administrator determines that such a hearing is necessary or appropriate.

§ 615.24 Certification.

If, after considering the complete description, the record of a hearing, if any, held pursuant to § 615.23, and such other information and data as the Administrator deems relevant, the Administrator determines that there is reasonable assurance that the proposed activity will not result in a violation of applicable water quality standards, he shall so certify. If the Administrator determines that no water quality standards are applicable to the waters which might be affected by the proposed activity, he shall so notify the applicant and the licensing or permitting agency in writing and shall provide the licensing or permitting agency with advice, suggestions and recommendations with respect to conditions to be incorporated in any license or permit to achieve compliance with the purposes of this Act. In such case, no certification shall be required.

§ 615.25 Adoption of new water quality standards.

(a) In any case where:

(1) A license or permit was issued without certification due to the absence of applicable water quality standards; and

(2) Water quality standards applicable to the waters into which the licensed or permitted activity may discharge are subsequently established; and

(3) The Administrator is the certifying agency because:

(i) No State or interstate agency has authority to certify; or

(ii) Such new standards were promulgated by the Administrator pursuant to section 10(c)(2) of the Act; and

(4) The Administrator determines that such uncertified activity is violating water quality standards;

then the Administrator shall notify the licensee or permittee of such violation, including his recommendations as to actions necessary for compliance. If the licensee or permittee fails within 6 months of the date of such notice to take action which in the opinion of the Administrator will result in compliance with applicable water quality standards, the Administrator shall notify the licensing or permitting agency that the licensee or permittee has failed, after reasonable notice, to comply with such standards and that suspension of the applicable license or permit is required by section 21(b)(9)(B) of the Act.

(b) Where a license or permit is suspended pursuant to paragraph (a) of this section, and where the licensee or permittee subsequently takes action which in the Administrator's opinion will result in compliance with applicable water quality standards, the Administrator shall then notify the licensing or permitting agency that there is reasonable assurance that the licensed or permitted activity will comply with applicable water quality standards.

§ 615.26 Inspection of facility or activity before operation.

Where any facility or activity has received certification pursuant to § 615.24 in connection with the issuance of a license or permit for construction, and where such facility or activity is not required to obtain an operating license or permit, the Administrator or his representative, prior to the initial operation of such facility or activity, shall be afforded the opportunity to inspect such facility or activity for the purpose of determining if the manner in which such facility or activity will be operated or conducted will violate applicable water quality standards.

§ 615.27 Notification to licensing or permitting agency.

If the Administrator, after an inspection pursuant to § 615.26, determines that operation of the proposed facility or activity will violate applicable water quality standards, he shall so notify the applicant and the licensing or permitting agency, including his recommendations as to remedial measures necessary to bring the operation of the proposed

facility into compliance with such standards.

§ 615.28 Termination of suspension.

Where a licensing or permitting agency, following a public hearing, suspends a license or permit after receiving the Administrator's notice and recommendation pursuant to § 615.27, the applicant may submit evidence to the Administrator that the facility or activity or the operation or conduct thereof has been modified so as not to violate water quality standards. If the Administrator determines that water quality standards will not be violated, he shall so notify the licensing or permitting agency.

Subpart D—Consultations

§ 615.30 Review and advice.

The Administrator may and upon request shall provide licensing and permitting agencies with determinations, definitions and interpretations with respect to the meaning and content of water quality standards where they have been federally approved under section 10 of the Act, and findings with respect to the application of all applicable water quality standards in particular cases and in specific circumstances relative to an activity for which a license or permit is sought. The Administrator shall also advise licensing and permitting agencies as to the status of compliance by dischargers with the conditions and requirements of applicable water quality standards. In cases where an activity for which a license or permit is sought will affect water quality, but for which there are no applicable water quality standards, the Administrator shall advise licensing or permitting agencies with respect to conditions of such license or permit to achieve compliance with the purposes of the Act.

Dated: February 2, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator,
Environmental Protection Agency.

[FR Doc.71-1638 Filed 2-4-71;8:51 am]

[42 CFR Part 481]

EASTERN IDAHO INTRASTATE AIR QUALITY CONTROL REGION

Proposed Designation; Consultation With Appropriate State and Local Authorities

Notice is hereby given of a proposal to designate an Intrastate Air Quality Control Region in the State of Idaho as set forth in the following new § 481.190 which would be added to Part 481 of Title 42, Code of Federal Regulations. It is proposed to make this designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Acting Commissioner, Air Pollution Control Office, Room 17-82, 5600 Fishers Lane, Rockville, MD 20852. All revelant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Idaho and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Administrator concerning such designation. Such consultation will take place at 1 p.m., on February 17, 1971, in Room 409, Student Union Building, 741 South Seventh Avenue, Idaho State University, Pocatello, ID 83201.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Doyle J. Borchers, Air Pollution Control Office, Environmental Protection Agency, Room 17-82, 5600 Fishers Lane, Rockville, MD 20852.

In Part 481 the following new section is proposed to be added to read as follows:

§ 481.190 Eastern Idaho Intrastate Air Quality Control Region.

The Eastern Idaho Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Idaho:

Bannock County.	Caribou County.
Bingham County.	Power County.
Bonneville County.	

This action is proposed under the authority of section 301(a), 81 Stat. 504; 42 U.S.C. 1857g(a) as amended by section 15(c)(2) of Public Law 91-604.)

Dated: February 2, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.71-1616 Filed 2-4-71;8:49 am]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

[33 CFR Part 401]

SEAWAY REGULATIONS AND RULES

Notice of Proposed Rule Making

Notice is hereby given that the St. Lawrence Seaway Development Corporation acting jointly with the St. Lawrence Seaway Authority of Canada, pursuant to provisions of its enabling act (33 U.S.C. 981 et seq.), proposes to adopt miscellaneous amendments to the rules in Subpart B of 33 CFR Part 401.

Interested parties may submit written data, views, or arguments in regard to the amendments proposed herein to the St. Lawrence Seaway Development Corporation, Seaway Circle, Massena, NY 13662 (Attention: General Counsel). Comments received not later than 30 days after publication of this notice will be considered. Formal adoption of these amendments by the Corporation is contemplated during the 1971 navigation season of the St. Lawrence Seaway.

I. It is proposed to amend § 401.102-10 by deleting the words "in excess of 40 feet in overall length", and inserting the word "self-propelled" after the word "All". This would require all self-propelled vessels other than pleasure craft of less than 65 feet to be equipped with VHF (very high frequency) radiotelephone equipment. The revised section would read as follows:

§ 401.102-10 Radiotelephone equipment.

All self-propelled vessels, other than pleasure craft of less than 65 feet, must be equipped with VHF (very high frequency) radiotelephone equipment. The radio transmitters must have sufficient power output to enable the vessel to communicate with Authority stations from a distance of 30 miles and must be fitted to operate from the wheelhouse and to communicate on 156.55, 156.6, 156.7, and 156.8 MHz.

II. It is proposed to amend the rules on Radio Communications to provide more readable and workable procedures and to require communications necessary to implement the new positive system of traffic control. Under this proposal, a new section would be added after § 401.103-3 and present §§ 401.103-4 and 401.103-5 would be renumbered and revised, as follows:

§ 401.103-4 VHF Radio coverage and procedure.

(a) Vessels must use the channels of communication in each Control Sector as listed below: